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**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

IN RE 23ANDME, INC. CUSTOMER DATA  
SECURITY BREACH LITIGATION

CASE NO. 3:24-md-03098-EMC

**JOINT REQUEST FOR CONTINUANCE OF  
JANUARY 13, 2026 CASE MANAGEMENT  
CONFERENCE; ~~PROPOSED~~ ORDER**

Conference Date: January 13, 2026

Time: 2:30 p.m.

The Honorable Edward M. Chen

On August 21, 2025, the Court issued an order (ECF No. 182) scheduling a Further Case Management Conference to be held on January 13, 2026 at 2:30 PM and ordering the Parties to file a Joint Case Management Statement by January 6, 2026. The Parties jointly provide the following update and respectfully request a continuance of the Case Management Conference for the reasons set forth below.

On April 4, 2025, Defendant ChromeCo, Inc. (f/k/a 23andMe, Inc.) filed a *Notice of Suggestion of Pendency of Bankruptcy for 23andMe Holding Co., et al., and Automatic Stay of Proceedings* informing this Court that on March 23, 2025, Chrome Holding Co. (f/k/a 23andMe Holding Co.) and certain of its direct and indirect subsidiaries, including ChromeCo, Inc. (collectively, the “Debtors” or “Chrome”), filed voluntary petitions for relief under chapter 11 of title 11 of the United States Code, 11 U.S.C. §§ 101 *et seq.*, in the United States Bankruptcy Court for the Eastern District of Missouri (the “Bankruptcy Court”). The Debtors’ chapter 11 cases are being jointly administered under the lead case *In re Chrome Holding Co. (f/k/a 23andMe Holding Co.)*, Case No. 25-40976 (collectively, the “Chapter 11 Cases”).

On October 2, 2025, the Bankruptcy Court issued an order (i) preliminarily approving a U.S. data breach settlement agreement involving the Debtors and settlement class representatives; (ii) preliminarily certifying the class for settlement purposes only; (iii) approving the form and manner of notice to class members of the class certification and settlement; (iv) scheduling a fairness hearing to consider final approval of the settlement agreement; and (v) granting related relief. A hearing for the Bankruptcy Court to consider the U.S. data breach settlement agreement on a final basis is scheduled to take place on January 20, 2026.

On December 5, 2025, the Bankruptcy Court entered its *Findings of Fact, Conclusions of Law, and Amended Order Confirming the Modified Fifth Amended Joint Plan of Chrome Holding Co. and Its Debtor Affiliates Pursuant to Chapter 11 of the Bankruptcy Code* [Docket No. 1696] (the “Confirmation Order”), confirming the Debtors’ *Modified Fifth Amended Joint Plan of Chrome Holding Co. and Its Debtor Affiliates Pursuant to Chapter 11 of the Bankruptcy Code* [Docket No. 1655] (the “Plan”). The Plan provides, among other things, that as of the Effective Date<sup>1</sup> and subject to the occurrence of the Effective

<sup>1</sup> As defined in the Plan, the Effective Date means December 5, 2025, or as soon as reasonably practicable thereafter, on which (a) all conditions to the occurrence of the Effective Date have been satisfied or waived pursuant to Article IX.A and Article IX.B of the Plan, (b) no stay of the Confirmation Order is in effect, and (c) the Debtors declare the Plan effective by filing a notice of the occurrence of the Effective Date on the docket of the Chapter 11 Cases.

Date, except as otherwise specifically provided in the Plan or the Confirmation Order, all persons and entities who have held, hold, or may hold claims that are fully satisfied pursuant to the Plan or any claim that is subject to the releases and exculpations set forth in the Plan, which include any claims arising from or related to the 2023 cyber security incident that is the subject of this proceeding, shall be precluded and permanently enjoined on and after the Effective Date from enforcing, pursuing, or seeking any setoff or relief with respect to such claims, except for the receipt of the payments or distributions that are contemplated by the Plan (the “Injunction”). The relief contemplated by the Injunction includes, among other things, commencing or continuing in any manner any action or other proceeding of any kind on account of or in connection with or with respect to any such claims.

On December 9, 2025, the post-Effective Date Debtors (the “Wind-Down Debtors”) filed the *Amended Notice of (I) Entry of Order Confirming the Modified Fifth Amended Joint Plan of Chrome Holding Co. and Its Debtor Affiliates Pursuant to Chapter 11 of the Bankruptcy Code, (II) Occurrence of Effective Date, and (III) Closing of the Lemonaid Sale Transaction* [Docket No. 1709], providing notice of December 5, 2025 as the Effective Date of the Plan.

The Final Approval Hearing on the US data breach class settlement is scheduled to be heard in the Bankruptcy Court on January 20, 2026. As such, the Parties request that the Case Management Conference currently scheduled for January 13, 2026 be taken off calendar at this time. The Parties propose to file an updated Status Report on or before February 2, 2026.

Dated: January 2, 2026

/s/ Gayle M. Blatt

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1 Dated: January 2, 2026

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8 Dated: January 2, 2026

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~~[PROPOSED]~~ ORDER

PURSUANT TO STIPULATION, and for good cause shown, IT IS ORDERED THAT the January 13, 2026 Further Case Management Conference is vacated at this time. The Parties shall submit an updated Joint Status Report on or before February 2, 2026.

DATED: January 5, 2026

  
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Hon. Edward M. Chen  
United States District Court Judge